

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark
Office
(Box PCT)
Crystal Plaza 2
Washington, DC 20231
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 02 June 1999 (02.06.99)	
International application No. PCT/GB98/02802	Applicant's or agent's file reference N.73312B GCW
International filing date (day/month/year) 16 September 1998 (16.09.98)	Priority date (day/month/year) 16 September 1997 (16.09.97)
Applicant COLE, David, J. et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
16 April 1999 (16.04.99)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer F. Zotomayor
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference N.73312B GCW	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 98/ 02802	International filing date (day/month/year) 16/09/1998	(Earliest) Priority Date (day/month/year) 16/09/1997
Applicant RHONE-POULENC AGRICULTURE LIMITED et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☒ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/GB 98/02802

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 44, 63
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Claims Nos.: 44,63

Claims 44 and 63 concern a compound, which however, is only defined by the methods which can be used in order to identify this compound. Since it is completely unclear which kind of substances will be identified by the respective methods and since in the specification no concrete examples for these kind of substances are given, the scope of said claims is totally ambiguous and undefined. Moreover, it cannot be excluded that even substances known in the art may be recognized as compounds being capable of being metabolized by a glutathione transferase by the respective used methods.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 98/02802

A. CLASSIFICATION OF SUBJECT MATTER

IPC 6 C12N15/54 C12N15/82 C12N9/10 C12N5/10 C12P21/02
A01H4/00 A01H5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 C12N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EMBL DATABASE, EMPLN:ZMY12862, ACCESSION-NO. Y12862, 30.07.1997, XP002101572 see the whole document & DIXON, D.P. ET AL.: "Purification, regulation and cloning of a glutathione transferases (GST) from maize resembling the auxin-inducible type-III GSTs" PLANT MOL.BIOL., vol. 36, 1998, pages 75-87, --- -/--	1,2,4-6, 38,45, 46,61

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- * & * document member of the same patent family

Date of the actual completion of the international search

29 April 1999

Date of mailing of the international search report

26. 05. 99

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Donath, C

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB 98/02802

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EMBL DATABASE, EMPLN:ZMGST27, ACCESSION-NO. X79515, 28.02.1995, XP002101643 see the whole document	1,2,4-6, 38,45, 46,61
Y	& JEPSON, I. ET AL.: "Cloning and characterization of maize herbicide safener-induced cDNAs encoding subunits of glutathione S-transferase isoforms I, II and IV" PLANT MOLECULAR BIOLOGY, vol. 26, no. 6, December 1994, pages 1855-1865, see page 1858 - page 1865 'Results' and 'Discussion'	1-43, 45-63
P,Y	--- CUMMINS, I. ET AL.: "Purification of multiple glutathione transferases involved in herbicide detoxification from wheat (Triticum aestivum L.) treated with the safener fenchlorazole-ethyl" PESTICIDE BIOCHEMISTRY AND PHYSIOLOGY, vol. 59, no. 1, December 1997, pages 35-49, XP002101573 see the whole document	1-43, 45-63
Y	--- RIECHERS, D.E. ET AL.: "Partial characterization of glutathione S-transferases from wheat (Triticum spp.) and purification of a safener-induced glutathione S-transferase from Triticum tauschii" PLANT PHYSIOLOGY, vol. 114, no. 4, August 1997, pages 1461-1470, XP002101574 cited in the application see the whole document	1-43, 45-63
Y	--- EDWARDS, R.: "Characterisation of glutathione transferases and glutathione peroxidases in pea (Pisum sativum)" PHYSIOLOGIA PLANTARUM, vol. 98, no. 3, 1996, pages 594-604, XP002101575 see page 597 - page 603 'Results' and 'Discussion'	1-43, 45-63
Y	--- WO 93 01294 A (IMPERIAL CHEMICAL INDUSTRIES PLC) 21 January 1993 see page 3, line 15 - page 10, line 5 -----	1-43, 45-63

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 98/02802

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9301294 A	21-01-1993	AU 672362 B	03-10-1996
		AU 2195992 A	11-02-1993
		AU 690855 B	30-04-1998
		AU 6210496 A	21-11-1996
		CA 2111983 A	21-01-1993
		EP 0603190 A	29-06-1994
		JP 6511385 T	22-12-1994
		US 5589614 A	31-12-1996
		US 5866792 A	02-02-1999

PATENT COOPERATION TREATY

From the INTERNATIONAL BUREAU

PCT

NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

To:

BENTHAM, Stephen
J.A. Kemp & Co.
14 South Square
Gray's Inn
London WC1R 5LX
ROYAUME UNI

6 APR 1999
GCL/AB
Action by

Date of mailing (day/month/year) 25 March 1999 (25.03.99)		
Applicant's or agent's file reference N.73312B GCW		IMPORTANT NOTICE
International application No. PCT/GB98/02802	International filing date (day/month/year) 16 September 1998 (16.09.98)	Priority date (day/month/year) 16 September 1997 (16.09.97)
Applicant RHONE-POULENC AGRICULTURE LIMITED et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:
AU, BR, CN, EP, IL, JP, KP, KR, US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:

AL, AM, AP, AT, AZ, BA, BB, BG, BY, CA, CH, CU, CZ, DE, DK, EA, EE, ES, FI, GB, GE, GH, GM, HR, HU, ID, IS, KE, KG, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, OA, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, UZ, VN, YU, ZW

The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on 25 March 1999 (25.03.99) under No. WO 99/14337

REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer J. Zahra
Facsimile No. (41-22) 740.14.35	Telephone No. (41-22) 338.83.38

PATENT COOPERATION TREATY

PCT

AB

From the INTERNATIONAL BUREAU

NOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

To:

BENTHAM, Stephen
J.A. Kemp & Co.
14 South Square
Gray's Inn
London WC1R 5LX
ROYAUME-UNI

Date of mailing (day/month/year) 09 October 1998 (09.10.98)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference N.73312B GCW	
International application No. PCT/GB98/02802	
International publication date (day/month/year) Not yet published	
International filing date (day/month/year) 16 September 1998 (16.09.98)	Priority date (day/month/year) 16 September 1997 (16.09.97)
Applicant RHONE-POULENC AGRICULTURE LIMITED et al	

1. The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
2. This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
3. An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
4. The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
16 Sept 1997 (16.09.97)	9719727.1	GB	07 Octo 1998 (07.10.98)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

Diana Nissen

Telephone No. (41-22) 338.83.38

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum) N.73312B GCW

Box No. I TITLE OF INVENTION	
NEW PLANT GENES	
Box No. II APPLICANT	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	
RHONE-POULENC AGRICULTURE LIMITED Fyfield Road, Ongar, Essex, CM5 0HW, UNITED KINGDOM.	
<input type="checkbox"/> This person is also inventor.	
Telephone No.	
Facsimile No.	
Teleprinter No.	
State (that is, country) of nationality: GB	State (that is, country) of residence: GB
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)	
COLE, David J. Rhone-Poulenc Agriculture Limited, Fyfield Road, Ongar, Essex, CM5 0HW, UNITED KINGDOM.	
This person is: <input type="checkbox"/> applicant only <input checked="" type="checkbox"/> applicant and inventor <input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)	
State (that is, country) of nationality: GB	State (that is, country) of residence: GB
This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box	
<input checked="" type="checkbox"/> Further applicants and/or (further) inventors are indicated on a continuation sheet.	
Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE	
The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	
<input checked="" type="checkbox"/> agent <input type="checkbox"/> common representative	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)	
BENTHAM, Stephen J.A. KEMP & CO., 14 South Square, Gray's Inn, London, WC1R 5LX, United Kingdom	
Telephone No.	
+44 171 405 3292	
Facsimile No.	
+44 171 242 8932	
Teleprinter No.	
23676	
<input type="checkbox"/> Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.	

Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS	
<i>If none of the following sub-boxes is used, this sheet should not be included in the request.</i>	
<p>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</p> <p>CUMMINS, Ian Department of Biological Sciences, University of Durham, Durham, DH1 3LE, UNITED KINGDOM.</p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input checked="" type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality: GB	State (that is, country) of residence: GB
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</p> <p>EDWARDS, Robert Department of Biological Sciences, University of Durham, Durham, DH1 3LE, UNITED KINGDOM.</p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input checked="" type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality: GB	State (that is, country) of residence: GB
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input checked="" type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality:	State (that is, country) of residence:
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p>Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)</p>	<p>This person is:</p> <p><input type="checkbox"/> applicant only</p> <p><input type="checkbox"/> applicant and inventor</p> <p><input type="checkbox"/> inventor only (If this check-box is marked, do not fill in below.)</p>
State (that is, country) of nationality:	State (that is, country) of residence:
<p>This person is applicant for the purposes of: <input type="checkbox"/> all designated States <input type="checkbox"/> all designated States except the United States of America <input type="checkbox"/> the United States of America only <input type="checkbox"/> the States indicated in the Supplemental Box</p>	
<p><input type="checkbox"/> Further applicants and/or (further) inventors are indicated on another continuation sheet.</p>	

Box No.V DESIGNATION OF STATES

The following designations are hereby made under Rule 4.9(a)(mark the applicable check-boxes; at least one must be marked):

Regional Patent

- ☒ **AP ARIPO Patent:** GH Ghana, GM Gambia, KE Kenya, LS Lesotho, MW Malawi, SD Sudan, SZ Swaziland, UG Uganda, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT
- ☒ **EA Eurasian Patent:** AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakhstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT
- ☒ **EP European Patent:** AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, CY Cyprus, DE Germany, DK Denmark, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- ☒ **OA OAPI Patent:** BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (if other kind of protection or treatment desired, specify on dotted line)

National Patent (if other kind of protection or treatment desired, specify on dotted line):

- | | |
|--|--|
| <input checked="" type="checkbox"/> AL Albania | <input checked="" type="checkbox"/> LS Lesotho |
| <input checked="" type="checkbox"/> AM Armenia | <input checked="" type="checkbox"/> LT Lithuania |
| <input checked="" type="checkbox"/> AT Austria | <input checked="" type="checkbox"/> LU Luxembourg |
| <input checked="" type="checkbox"/> AU Australia | <input checked="" type="checkbox"/> LV Latvia |
| <input checked="" type="checkbox"/> AZ Azerbaijan | <input checked="" type="checkbox"/> MD Republic of Moldova |
| <input checked="" type="checkbox"/> BA Bosnia and Herzegovina | <input checked="" type="checkbox"/> MG Madagascar |
| <input checked="" type="checkbox"/> BB Barbados | <input checked="" type="checkbox"/> MK The former Yugoslav Republic of Macedonia |
| <input checked="" type="checkbox"/> BG Bulgaria | <input checked="" type="checkbox"/> MN Mongolia |
| <input checked="" type="checkbox"/> BR Brazil | <input checked="" type="checkbox"/> MW Malawi |
| <input checked="" type="checkbox"/> BY Belarus | <input checked="" type="checkbox"/> MX Mexico |
| <input checked="" type="checkbox"/> CA Canada | <input checked="" type="checkbox"/> NO Norway |
| <input checked="" type="checkbox"/> CH and LI Switzerland and Liechtenstein | <input checked="" type="checkbox"/> NZ New Zealand |
| <input checked="" type="checkbox"/> CN China | <input checked="" type="checkbox"/> PL Poland |
| <input checked="" type="checkbox"/> CU Cuba | <input checked="" type="checkbox"/> PT Portugal |
| <input checked="" type="checkbox"/> CZ Czech Republic | <input checked="" type="checkbox"/> RO Romania |
| <input checked="" type="checkbox"/> DE Germany | <input checked="" type="checkbox"/> RU Russian Federation |
| <input checked="" type="checkbox"/> DK Denmark | <input checked="" type="checkbox"/> SD Sudan |
| <input checked="" type="checkbox"/> EE Estonia | <input checked="" type="checkbox"/> SE Sweden |
| <input checked="" type="checkbox"/> ES Spain | <input checked="" type="checkbox"/> SG Singapore |
| <input checked="" type="checkbox"/> FI Finland | <input checked="" type="checkbox"/> SI Slovenia |
| <input checked="" type="checkbox"/> GB United Kingdom | <input checked="" type="checkbox"/> SK Slovakia |
| <input checked="" type="checkbox"/> GE Georgia | <input checked="" type="checkbox"/> SL Sierra Leone |
| <input checked="" type="checkbox"/> GH Ghana | <input checked="" type="checkbox"/> TJ Tajikistan |
| <input checked="" type="checkbox"/> GM Gambia | <input checked="" type="checkbox"/> TM Turkmenistan |
| <input checked="" type="checkbox"/> GW Guinea-Bissau | <input checked="" type="checkbox"/> TR Turkey |
| <input checked="" type="checkbox"/> HR Croatia | <input checked="" type="checkbox"/> TT Trinidad and Tobago |
| <input checked="" type="checkbox"/> HU Hungary | <input checked="" type="checkbox"/> UA Ukraine |
| <input checked="" type="checkbox"/> ID Indonesia | <input checked="" type="checkbox"/> UG Uganda |
| <input checked="" type="checkbox"/> IL Israel | <input checked="" type="checkbox"/> US United States of America |
| <input checked="" type="checkbox"/> IS Iceland | <input checked="" type="checkbox"/> UZ Uzbekistan |
| <input checked="" type="checkbox"/> JP Japan | <input checked="" type="checkbox"/> VN Viet Nam |
| <input checked="" type="checkbox"/> KE Kenya | <input checked="" type="checkbox"/> YU Yugoslavia |
| <input checked="" type="checkbox"/> KG Kyrgyzstan | <input checked="" type="checkbox"/> ZW Zimbabwe |
| <input checked="" type="checkbox"/> KP Democratic People's Republic of Korea | |
| <input checked="" type="checkbox"/> KR Republic of Korea | |
| <input checked="" type="checkbox"/> KZ Kazakhstan | |
| <input checked="" type="checkbox"/> LC Saint Lucia | |
| <input checked="" type="checkbox"/> LK Sri Lanka | |
| <input checked="" type="checkbox"/> LR Liberia | |

Check-boxes reserved for designating States (for the purposes of a national patent) which have become party to the PCT after issuance of this sheet:

- ☐
- ☐

Precautionary Designation Statement: In addition to the designations made above, the applicant also makes under Rule 4.9(b) all other designations which would be permitted under the PCT except any designation(s) indicated in the Supplemental Box as being excluded from the scope of this statement. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (Confirmation of a designation consists of the filing of a notice specifying that designation and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.)

Supplemental Box *If the Supplemental Box is not used, this sheet should not be included in the request.*

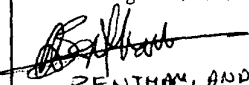
1. If, in any of the Boxes, **the space is insufficient** to furnish all the information: in such case, write "Continuation of Box No. ..." [indicate the number of the Box] and furnish the information in the same manner as required according to the captions of the Box in which the space was insufficient, in particular:

- (i) **if more than two persons are involved as applicants and/or inventors** and no "continuation sheet" is available: in such case, write "Continuation of Box No. III" and indicate for each additional person the same type of information as required in Box No. III. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below;
- (ii) if, in Box No. II or in any of the sub-boxes of Box No. III, the indication **"the States indicated in the Supplemental Box"** is checked: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the applicant(s) involved and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is applicant;
- (iii) if, in Box No. II or in any of the sub-boxes of Box No. III, **the inventor or the inventor/applicant is not inventor for the purposes of all designated States or for the purposes of the United States of America**: in such case, write "Continuation of Box No. II" or "Continuation of Box No. III" or "Continuation of Boxes No. II and No. III" (as the case may be), indicate the name of the inventor(s) and, next to (each) such name, the State(s) (and/or, where applicable, ARIPO, Eurasian, European or OAPI patent) for the purposes of which the named person is inventor;
- (iv) if, in addition to the agent(s) indicated in Box No. IV, there are **further agents**: in such case, write "Continuation of Box No. IV" and indicate for each further agent the same type of information as required in Box No. IV;
- (v) if, in Box No. V, the name of any State (or OAPI) is accompanied by the indication **"patent of addition,"** or **"certificate of addition,"** or if, in Box No. V, the name of the United States of America is accompanied by an indication **"continuation"** or **"continuation-in-part"**: in such case, write "Continuation of Box No. V" and the name of each State involved (or OAPI), and after the name of each such State (or OAPI), the number of the parent title or parent application and the date of grant of the parent title or filing of the parent application;
- (vi) if, in Box No. VI, there are **more than three earlier applications whose priority is claimed**: in such case, write "Continuation of Box No. VI" and indicate for each additional earlier application the same type of information as required in Box No. VI;
- (vii) if, in Box No. VI, **the earlier application is an ARIPO application**: in such case, write "Continuation of Box No. VI", specify the number of the item corresponding to that earlier application and indicate at least one country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed.

2. If, with regard to the **precautionary designation statement** contained in Box No. V, the applicant wishes to exclude any State(s) from the scope of that statement: in such case, write "Designation(s) excluded from precautionary designation statement" and indicate the name or two-letter code of each State so excluded.

3. If the applicant claims, in respect of any designated Office, the benefits of provisions of the national law concerning **non-prejudicial disclosures or exceptions to lack of novelty**: in such case, write "Statement concerning non-prejudicial disclosures or exceptions to lack of novelty" and furnish that statement below.

ALLEN, William Guy Fairfax; GOLDIN, Douglas Michael; ELLIS-JONES, Patrick George Armine; BARLOW, Roy James; SENIOR, Alan Murray; BENTHAM, Stephen; AYERS, Martyn Lewis Stanley; WOODS, Geoffrey Corlett; CRESSWELL, Thomas Anthony; SEXTON, Jane Helen; NICHOLLS, Michael John; MARSHALL Monica Anne; WEBB, Andrew John; KEEN, Celia Mary; PRICE, Nigel John King; IRVINE, Jonquil Claire; LEEMING, John Gerard; DUCKWORTH, Timothy John; MCCLUSKIE, Gail Wilson; WRIGHT, Simon Mark; CURWEN, Julian Charles Barton; CLEEVE, James Harold Findlay; SMITH, Samuel Leonard; BENSON, John Everett; CAMPBELL Patrick John; MERRYWEATHER, Colin Henry; DUCKETT, Anthony Joseph; MIDGLEY, Jonathan Lee; BENTHAM, Andrew; and ROQUES, Sarah Elizabeth of: J.A. KEMP & CO., 14 South Square, Gray's Inn, London, WC1R 5LX, United Kingdom.

Box No. VI PRIORITY CLAIM					<input type="checkbox"/> Further priority claims are indicated in the Supplemental Box.
Filing date of earlier application (day/month/year)	Number of earlier application	Where earlier application is:			
		national application: country	regional application: regional Office	international application: receiving Office	
item (1) 16 September 1997	97 19727.1	GB			
item (2)					
item (3)					
<input checked="" type="checkbox"/> The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (only if the earlier application was filed with the Office which for the purposes of the present international application is the receiving Office) identified above as item(s): <u>1</u>					
<small>* Where the earlier application is an ARIPO application, it is mandatory to indicate in the Supplemental Box at least one country party to the Paris Convention for the Protection of Industrial Property for which that earlier application was filed (Rule 4.10(b)(ii)). See Supplemental Box.</small>					
Box No. VII INTERNATIONAL SEARCHING AUTHORITY					
Choice of International Searching Authority (ISA) <small>(if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):</small>		Request to use results of earlier search; reference to that search (if an earlier search has been carried out by or requested from the International Searching Authority):			
ISA /		Date (day/month/year)	Number	Country (or regional Office)	
Box No. VIII CHECK LIST: LANGUAGE OF FILING					
This international application contains the following number of sheets: request : 5 description (excluding sequence listing part) : 60 claims : 10 abstract : 1 drawings : 2 sequence listing part of description : 27 Total number of sheets : 105		This international application is accompanied by the item(s) marked below: 1. <input checked="" type="checkbox"/> fee calculation sheet 2. <input type="checkbox"/> separate signed power of attorney 3. <input type="checkbox"/> copy of general power of attorney; reference number, if any: 4. <input type="checkbox"/> statement explaining lack of signature 5. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s): 6. <input type="checkbox"/> translation of international application into (language): 7. <input type="checkbox"/> separate indications concerning deposited microorganism or other biological material 8. <input type="checkbox"/> nucleotide and/or amino acid sequence listing in computer readable form 9. <input checked="" type="checkbox"/> other (specify): <u>Patents Form 23/77</u>			
Figure of the drawings which should accompany the abstract:		Language of filing of the international application: English			
Box No. IX SIGNATURE OF APPLICANT OR AGENT					
Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).					
 BENTHAM, ANDREW AUTHORISED REPRESENTATIVE for BENTHAM, Stephen AUTHORISED REPRESENTATIVE 16 September 1998					
For receiving Office use only					
1. Date of actual receipt of the purported international application:		2. Drawings: <input type="checkbox"/> received: <input type="checkbox"/> not received:			
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:					
4. Date of timely receipt of the required corrections under PCT Article 11(2):					
5. International Searching Authority (if two or more are competent): ISA /		6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid.			
For International Bureau use only					
Date of receipt of the record copy by the International Bureau:					

This sheet is not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET

Annex to the Request

For receiving Office use only

International application No.

Date stamp of the receiving Office

Applicant's or agent's
file reference

N.73312B GCW

Applicant

RHONE-POULENC AGRICULTURE LIMITED

CALCULATION OF PRESCRIBED FEES

1. TRANSMITTAL FEE £ 55 T

2. SEARCH FEE £ 753 S

International search to be carried out by

(If two or more International Searching Authorities are competent in relation to the international application, indicate the name of the Authority which is chosen to carry out the international search.)

3. INTERNATIONAL FEE

Basic Fee

The international application contains 105 sheets.

first 30 sheets £ 285 b₁

75 x £6 = £450 b₂

remaining sheets additional amount

Add amounts entered at b₁ and b₂ and enter total at B £735 B

Designation Fees

The international application contains 76 designations.

11 x £65 = £715 D

number of designation fees payable (maximum 11) amount of designation fee

Add amounts entered at B and D and enter total at I £1450 I

(Applicants from certain States are entitled to a reduction of 75% of the international fee. Where the applicant is (or all applicants are) so entitled, the total to be entered at I is 25% of the sum of the amounts entered at B and D.)

4. FEE FOR PRIORITY DOCUMENT £ 22 P

5. TOTAL FEES PAYABLE

Add amounts entered at T, S, I and P, and enter total in the TOTAL box £2280

TOTAL

☐ The designation fees are not paid at this time.

MODE OF PAYMENT

☐ authorization to charge
deposit account (see below)

☒ cheque

☐ postal money order

☐ bank draft

☐ cash

☐ revenue stamps

☐ coupons

☐ other (specify):

DEPOSIT ACCOUNT AUTHORIZATION (this mode of payment may not be available at all receiving Offices)

The RO/ _____ ☐ is hereby authorized to charge the total fees indicated above to my deposit account.

☐ is hereby authorized to charge any deficiency or credit any overpayment in the total fees indicated above to my deposit account.

☐ is hereby authorized to charge the fee for preparation and transmittal of the priority document to the International Bureau of WIPO to my deposit account.



Deposit Account Number

Date (day/month/year)

Signature

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference N.73312B GCW		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB98/02802	International filing date (day/month/year) 16/09/1998	Priority date (day/month/year) 16/09/1997	
International Patent Classification (IPC) or national classification and IPC C12N15/54			
Applicant RHONE-POULENC AGRICULTURE LIMITED et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none">I <input checked="" type="checkbox"/> Basis of the reportII <input type="checkbox"/> PriorityIII <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicabilityIV <input type="checkbox"/> Lack of unity of inventionV <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statementVI <input type="checkbox"/> Certain documents citedVII <input type="checkbox"/> Certain defects in the international applicationVIII <input checked="" type="checkbox"/> Certain observations on the international application			
Date of submission of the demand 16/04/1999		Date of completion of this report 26.01.00	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer Donath, C Telephone No. +49 89 2399 8710 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB98/02802

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-87 as originally filed

Claims, No.:

1-63 as originally filed

Drawings, sheets:

1/2-2/2 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

- ☐ the entire international application.
☒ claims Nos. 44,63.

because:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB98/02802

- ☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
- ☒ the claims, or said claims Nos. 44,63 are so inadequately supported by the description that no meaningful opinion could be formed.
- ☒ no international search report has been established for the said claims Nos. 44,63.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	3,9,14-16,18-28,30,32-36,39-43,52-54,57-59,62
	No:	Claims	1,2,4-8,10-13,17,29,31,37,38,45-51,55,56,60,61
Inventive step (IS)	Yes:	Claims	3,9,14-16,18-28,30,32-36,39-43,52-54,57-59,62
	No:	Claims	1,2,4-8,10-13,17,29,31,37,38,45-51,55,56,60,61
Industrial applicability (IA)	Yes:	Claims	1-43,45-62
	No:	Claims	

2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB98/02802

Ad section III.:

Claims 44 and 63 concern a compound, which however, is only defined by the methods which can be used in order to identify this compound. Since it is completely unclear which kind of substances will be identified by the respective methods and since in the specification no concrete examples for these kind of substances are given, the scope of said claims is totally ambiguous and undefined. Moreover, it cannot be excluded that even substances known in the art may be recognized as compounds being capable of being metabolized by a glutathione transferase by the respective used methods.

Furthermore, as the applicant has not had an International Search Report drawn up for claims 44 and 63, consequently no preliminary examination can be performed in respect of said claims.

Ad section V.:

1. The following documents are cited:

- D1 EMBL Database, Empln:Zmy12862, Accession-No. Y12862, 30.07.1997
- D2 Plant Molecular Biology 26(6), 1855-1866, 1994

2. The present International application refers to the isolation, cloning and sequencing of several glutathione transferase (GST) isoenzyme subunits with activity towards herbicides from wheat shoots treated with herbicide safener fenchlorazole-ethyl, as well as to the use of said GST subunits and its coding sequences in methods for obtaining transgenic plants or in methods for identifying compounds that induce GST expression in plants.

2.1 D1 discloses the nucleotide sequence and the corresponding amino acid sequence of the GST5 gene from *zea mays*. The nucleotide sequence shows 80.8% identity in 682 bp with that disclosed in SEQ ID NO:1 of the present International application. Thus, the sequence described in D1 would inevitably hybridize selectively to the coding sequence of SEQ ID NO:1 and also comprises a fragment thereof.

Therefore, the above document is novelty-destroying for claims 1,2,4-6,38,45,46 and 61.

- 2.2 D2 describes the isolation of cDNA clones encoding safener-induced subunits present in GST I, GST II and GST IV using antibody and oligonucleotide probes. The clones then have been used as molecular probes to study corresponding mRNA levels upon safener treatment. The nucleotide sequence and deduced amino acid sequence of GST-27 cDNA as provided in Fig.3 of D2 shows 78.5% identity in 725 bp with that disclosed in SEQ ID NO:5 of the present application (see D2, p.1858-1865, 'Results' and 'Discussion').

Thus, the above document is novelty-destroying for claims 1,2,4-8,10-13,17,29,31,37,38,45-51,55,56,60 and 61.

3. The closest prior art to evaluate the inventiveness of claims 3,9,14-16,18-28,30,32-36,39-43,52-54,57-59 and 62 is D2.

In the prior art no indication has been given for polynucleotide sequences encoding one of the specific amino acid sequences disclosed in SEQ ID NOs 2,4,6,8,10,12,14,16, or 18 of the present International application.

Thus, an inventive step has to be acknowledged for claims 3,9,14-16,18-28,30,32-36,39-43,52-54,57-59 and 62 (Article 33(3) PCT).

Ad section VIII.:

1. Claims 1 and 38 lack clarity due to the expression "capable of hybridising selectively to the coding sequence of ...". This term is very vague and imprecise and does not provide any technical information about the hybridization conditions.
2. Claims 3 and 5 lack clarity due to the term " fragment thereof". This term is not suitable to clearly define the scope of the claims, because without definition of the length of the fragment this expression is absolutely vague and ambiguous.
3. In addition claim 5 lacks clarity due to the expression "substantially homologous". This term is not suitable to clearly define the scope of the claims, because without

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB98/02802

definition of the degree of homology this expression is absolutely vague and ambiguous.

4. Claims 45 - 62 lack clarity due to the expression "substantially". This term is not suitable to clearly define the scope of the claims, because it is without technical significance and its vagueness makes it opened to individual interpretation. Moreover, claims 45 - 62 lack clarity due to their wording. In general , the scope of a claim should be defined by technical features, but not merely by reference to the description.